

REMARKS

Reconsideration is requested.

Claims 1-17 are pending.

The present application claims benefit of JP 2003-075513, filed March 19, 2003.

A certified English translation of the priority application is filed herewith.

The newly cited Fujioka (US20030070706) was published by the U.S. Patent Office on April 17, 2003 (i.e., after the filing of the claimed priority application). Fujioka is based on U.S. application no. 10/270,184, filed October 15, 2002. Fujioka is citable against the present application under 35 USC § 102(e). Fujioka, like the present application, is assigned to SHARP KABUSHIKI KAISHA, 22-22, NAGAIKE-CHO, ABENO-KU, OSAKA-SHI, OSAKA, JAPAN. See Reel 013390, Frame 0961 and Reel 015007, Frame 0993, of the U.S. Patent Office Assignment records.

The applicants note that the present application and the cited Fujioka were, at the time of the invention, owned by, or subject to an obligation of assignment to, the same person or entity. See MPEP § 706.02(I)(2)(II).

The applicants submit, with due respect, that Fujioka is not available as a reference which is citable against the present application. The above and concurrently filed certified English translation of the priority application are timely filed and entry of same and withdrawal of the obviousness rejections based on Fujioka are requested as the Examiner has first cited Fujioka against the claims of the present application in the final rejection of May 26, 2009.

YODA et al
Appl. No. 10/780,696
Atny. Ref.: 914-180
Response After Final Rejection
October 19, 2009

Withdrawal of the Section 103 rejection of claims 1-3, 7-9, 11, 12, 16 and 17 over Fujioka and Hanoka (U.S. Patent No. 5,476,553) is requested in view of the above.

Withdrawal of the Section 103 rejection of claims 4 and 5 over Fujioka, Hanoka and Yaba (U.S. Patent No. 5,059,254) is requested in view of the above.

Withdrawal of the Section 103 rejection of claim 10 over Fujioka, Hanoka and Yoda (JP 2003026455) is requested in view of the above.

Withdrawal of the Section 103 rejection of claim 13 over Fujioka, Hanoka and Yoda is requested in view of the above.

Withdrawal of the Section 103 rejection of claims 14 and 15 over Fujioka, Hanoka and Sakaitani (JP2001262782) is requested in view of the above.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested. The Examiner is requested to contact the undersigned, preferably by telephone, in the event anything further is required.

Respectfully submitted,

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